

REMARKS

Claims 1-3 and 9-37 are pending in the Application. Claims 22-37 are new.

Claims 1-3 and 9-21 stand rejected.

Applicants appreciate the time the Examiner has spent in discussing the Application.

I. REJECTION UNDER 35 U.S.C. § 101

Claims 1-3 and 21 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner has suggested that the claims be amended to replace "method" with "computer implemented methods." Applicants have amended the claims essentially in accordance with the Examiner's suggestion.

II. REJECTION UNDER 35 U.S.C. § 112

Claim 21 stands rejected under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out an distinctly claim the subject matter which Applicant regards as the invention.

The Examiner has rejected claim 21 under 35 U.S.C. § 112, second paragraph, asserting that "activity to be removed is currently displayed" in line 10 is indefinite. Applicants respectfully disagree with this rejection and traverse. A claim is indefinite when the scope of the claim is not determinable. That is not the case here, since it is clear from the claim language that an identity of an activity is what is actually displayed. Therefore, even though line 9 recites a determination if the activity removed from the list is currently displayed does not specifically refer to the display of the identity of such a removed activity, from a reading of the overall claim, this is still easily understood as being the case. Therefore, the claim language of claim 21, along with the supporting description in the Specification, makes it clear what is the scope of claim 21.

III. REJECTIONS UNDER 35 U.S.C. § 103

1. Claims 1-2, 9-10, 12-14, 16 and 17-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable *Singh* (U.S. Patent No. 6,389,447) in view of *Cornaby* (U.S. Patent No. 5,355,486). In response, Applicants respectfully traverse this rejection.

The Examiner acknowledges that *Singh* does not teach or suggest removing a completed activity from the ordered list when that activity completes. Instead, *Singh* merely discloses that when an application is not used within a predetermined amount of time, it may be closed. (Col. 5, line 61 - col. 6, line 11). In such a case, such an activity will be removed from the list. Removing an activity when it is not being used within a certain amount of time is not the same as that activity completing. To overcome this deficiency, the Examiner specifically cites *Cornaby* for teaching the inserting of a new task in a queue and removing a completed task from the queue.

First, *Cornaby* does not in any way teach or suggest that any of these tasks are displayed. An aspect of the invention is the displaying of activities in a list. As a result, one skilled in the art at the time the invention was made would not have combined *Cornaby* with *Singh*, since *Cornaby* has nothing to do with the display of activities.

Second, the Examiner's sole stated motivation for combining these references is that "it would improve the overall efficiency." This is an overly broad reason to combine two references, and does not go to the heart of the claims. Moreover, this does not show how one skilled in the art would have combined the two references to specifically arrive at the claim invention where activities are displayed according to a specified procedure. The cited language in *Cornaby* is referring to the efficiency to providing service to a specific task, and is more specifically referring to the mechanical latency of the movement of actuators in hard disk drives. This has nothing to do with the efficiency of activities running in a data processing system where these activities are displayed in accordance with a specified process. As a result, this motivation to combine the references fails to support the Examiner's *prima facie* case of obviousness.

Third, claim 1 recites that when an activity in the ordered list completes, it is

removed from the ordered list. The combination of *Singh* and *Cornaby* does not disclose or suggest this limitation. *Singh* by its own teachings discloses that these activities have not completed and are still active. (See col. 3, lines 4-7; col. 6, lines 10-11). *Singh* instead teaches away from activities completing. *Cornaby* does not teach or suggest that when a task completes it is removed from an ordered list. Therefore, this limitation within the claims is not in any way taught or suggested by the combination of the two references.

With respect to claims 2, 10 and 14, the Examiner has asserted that *Singh* teaches the step of displaying a code pertaining to the latest-started activity that is not completed.. However, since (as the Examiner admits) *Singh* does not teach or suggest the completion of activities, *Singh* cannot possibly teach this method step. As a result, Applicants respectfully assert that the Examiner has based his obviousness determination on incorrect factual predicates. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998). The factual predicates underlying an obviousness determination include the scope and content of the prior art, the differences between the prior art and the claimed invention, and the level of ordinary skill in the art. *Id.*

Likewise with respect to claims 12 and 16, *Singh* cannot possibly teach determining of an activity that has completed as currently being displayed (contrary to the Examiner's specific assertions), since *Singh* does not refer to such activities being completed. As noted above, the Examiner has admitted that *Singh* does not teach that an activity in an ordered list completes. Again, Applicants respectfully traverse the obviousness rejection by the Examiner, since the Examiner has based the obviousness determination on incorrect factual predicates.

Claims 17-19 and 21-22 further recite that only the activity at the top of the list is displayed. *Singh* clearly does not disclose this limitation, since it actually displays a plurality of applications currently operating on the system, as shown in Figures 2, 4 and 7. Furthermore, the Examiner asserts that *Singh* teaches or suggests the completion of activities, equating this to when the activities' time has expired. By the Examiner's

own admission, *Singh* does not teach whenever an activity in the ordered list completes, and then removing the completed activity from the ordered list.

Claim 20 further recites that completion of an activity is performed automatically, where it is then removed from the ordered list. This is also not taught by *Singh*. The Examiner has failed to specifically address this claim limitation.

2. Claims 3, 11 and 15 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Singh* in view of *Cornaby* and, further, in view of *Hughes et al.* (U.S. Patent No. 5,109,484). In response, Applicants respectfully traverse this rejection. The Examiner admits that *Singh* fails to teach that the activities are configurations of devices attached to the data processing system. The Examiner attempts to overcome this deficiency by adding *Hughes* to *Singh*. The Examiner asserts that *Hughes* teaches activities for configuring devices attached to a data processing system with the use of a configuration list.

Though *Hughes* pertains to the configuration of devices in a system, there is no suggestion within either of these prior art references to combine them to arrive at the claimed invention. *Singh* pertains to multiple software applications running in a system.

One skilled in the art at the time the invention was made would not have looked to combine *Hughes* with *Singh* to arrive at a process whereby the configurations performed within *Hughes* are listed and then as the configurations are completed they are removed from the list. Furthermore, one skilled in the art at the time the invention was made would not have combined these two references in order to arrive at a process whereby a new configuration is placed at the top of the list to be displayed as claimed.

The Examiner's only motivation to combine these references is his own opinion that the devices in *Singh* would be configured because configuring devices is a necessary procedure before devices are to be used. This is not objective evidence, which is required to support an obviousness combination. As noted above, the list of applications in *Singh* do not pertain to the configuration of these applications. There is no teaching or suggestion within *Singh* that any devices need to be configured, and thus in need of

combining with the invention in *Hughes*. *Hughes* further provides no motivation to be combined with *Singh* so that configurations are removed from a displayed list once completed, or moved to the top of a list for display if it is still active.

Further, Applicants' arguments with respect to the teachings of *Cornaby* and the combination of *Cornaby* and *Singh* asserted above are incorporated by reference in response to this rejection also.

IV. NEW CLAIMS

The new claims recite elements not taught or suggested by the prior art references.

V. CONCLUSION

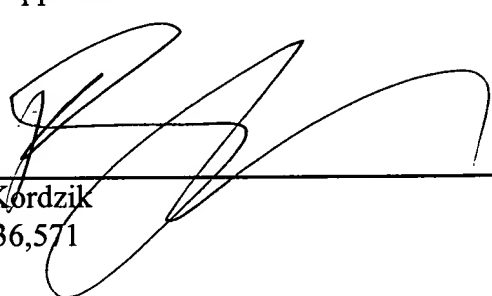
As a result of the foregoing, it is asserted by Applicants that the remaining Claims in the Application are in condition for allowance, and respectfully request an early allowance of such Claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,
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